

Practitioner's Docket No.: 789_070 CON2

**AFTER FINAL
PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Toshikazu HIROTA and Takao OHNISHI

Serial No.: 10/757,264

Group Art Unit: 1634

Filed: January 14, 2004

Examiner: Betty J. Forman

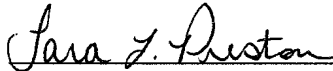
Conf. No.: 4900

For: BIOCHIP

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF EFS
TRANSMISSION**

I hereby certify that this paper is being transmitted via EFS to the Patent and Trademark Office on March 12, 2008.



Tara L. Preston

REQUEST FOR RECONSIDERATION

Sir:

In response to the Final Office Action mailed January 15, 2008, Applicants respectfully request reconsideration and withdrawal of the rejections of record based on the following arguments.

The rejection of claims 1-13 under the judicially created doctrine of obviousness-type double patenting over claims 1-13 of U.S. Patent No. 6,753,144 is noted, but deemed moot in view of the Terminal Disclaimer filed herewith. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

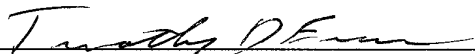
For at least the foregoing reasons, Applicants respectfully submit that all of the pending claims herein are in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for this application in due course.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

March 12, 2008
Date


Stephen P. Burr
Reg. No. 32,970

Timothy D. Evans
Reg. No. 50,797

SPB/TE/tlp

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320